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Minutes of the Regular Meeting of the City of Rensselaer Zoning Board of Appeals
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
June 28, 2010

Members Present:

Chair – Gene Hilstro, Vice Chair – Bill Bulnes, Nancy Hardt, Nancy Johnson, Terance Ruso

Members Not Present:

Leonard Sciotti, Michael Scott

Staff Present:

Kevin McLoughlin – Assistant Director of Planning, John Spath – Deputy Corporation Counsel

Others Present

Than Than Win, David Gardner, Autumn Ambrozik

Call to Order:

The regular meeting of the City of Rensselaer Zoning Board of Appeals was called to order at 6:04 PM. Roll call was taken and it was determined that there was a quorum.

Adoption of Past Meeting Minutes:

The minutes of the regular meeting of May 24, 2010 were approved as submitted and without correction.

Old Business

NONE.

New Business

- 1. Than Than Win, 40 Partition Street** – request for amendment to an existing Use Variance to allow installation of a 3’x4’ business sign in a residential (R2) zoning district.

Than Than Win presented the board with photos showing current signage at his market and a to-scale photo simulation of the proposed new sign to be located over the main door of his business. The material of the planned sign would be hard plastic. He described the dimensions of the current temporary banner as 3’x8’.

Mr. Bulnes asked if Than Than Win had considered orienting the sign perpendicularly to the street.

Mr. Hilstro asked if any lighting was planned. Than Than Win said that he did not plan to light the sign at this time. Mr. Hilstro noted that when he did light the sign, exterior lights were preferred to internal lighting.

Mr. McLoughlin asked whether he had an ‘Open’ sign and wished to keep using it. Than Than Win stated that he did have an LED sign that was on a flashing setting when the building inspector told him only a constant light was allowed.

Chair Hilstro opened the public hearing at 6:16 PM.

Than Than Win also mentioned wanting to have a small sign or placard display of store hours inside the window as well. Mr. McLoughlin estimated that this would add about 0.5 square feet to total signage area as any display or text in the windows was considered signage.

Hearing no one else to speak for against the application, Chair Hilstro closed the public hearing at 6:20 PM.

Mr. Ruso asked if the potential lighting should be considered now so the applicant did not have to return for another variance. Mr. McLoughlin agreed that it would be a good idea to add this provision to any resolution of approval.

Mr. Bulnes moved to amend the previously granted Use Variance for operation of a market business in a residential zoning district to also allow business signage in a residential district for a 12 square foot sign (3’x4’) located above the main entrance, a 3 square foot (1’x3’) non-flashing ‘open’ sign, and up to a .5 square foot placard displaying business hours and to allow applicant to install gooseneck exterior lights to illuminate the main sign with the stipulation that no other signage, posters, banners, or postings on the exterior or in the windows will be allowed. Ms. Johnson seconded. The motion was unanimously approved.

- 2. Autumn Ambrozik, 2 Riverside Avenue** – request for Area Variance of 2’ from required 5’ side yard to allow construction of a backyard deck 3’ from the lot line in a historic residential (HR) zoning district.

Autumn Ambrozik described her proposed back yard deck as shown in the submitted drawings.

Mr. Hilstro asked if there were any accessory structures in the rear yard beyond the proposed deck area.

Mr. Ruso asked if the back porch was open or enclosed and it was confirmed that it was enclosed and used for a laundry area.

Mr. Ruso asked what the proposed zoning update minimum side yard setbacks for this district were. Mr. McLoughlin stated that he was not positive but estimated it was the same 5' and offered to confirm this from office documents if necessary.

Chair Hilstro opened the public hearing at 6:30 PM.

Hearing no one else to speak for against the application, Chair Hilstro closed the public hearing at 6:31 PM.

Mr. Bulnes moved to grant an Area Variance of 2' from the required minimum side yard of 5' to allow construction of a deck 3' from the property line with the stipulation that the work conform with the Certificate of Appropriateness granted by the Planning Commission. Ms. Hardt seconded. The motion was unanimously approved.

Other Business:

NONE.

Adjournment:

Hearing no objections, Mr. Hilstro adjourned the meeting at 6:45 PM.

Next Meeting:

The next regular meeting is scheduled for July 26, 2010 at 6:00 PM

Record of Decisions:

An official record of decisions noting the details of motions from this meeting along with conditions & stipulations has been filed with the City Clerk and a copy maintained in Planning Department records.

Respectfully submitted,

Marybeth Pettit
Secretary